

REMARKS

Prior to the present amendment, claims 1-7, 10, 12-35 and 38-52 were pending. By this amendment, claims 1-24 have been cancelled. Accordingly, claims 25-35 and 38-52 are currently pending.

In the Office Action Summary page of the final Office Action, the examiner indicated that claims 25-35 and 39-52 are allowed. Accordingly, applicants have cancelled the rejected claims (i.e., claims 1-24) without prejudice so that applicants can pursue issuance of the claims which the examiner has indicated are allowed. Applicants will file a continuation application to pursue the rejected claims.

Due to the cancellation of claims 1-24, the rejection of claims 1-5 and 10 under 35 U.S.C. 103(a) over Lagasse et al.; the rejection of claims 1-7 and 10 under 35 U.S.C. 103(a) over Peng et al.; the rejection of claims 1-7 and 10 under 35 U.S.C. 102(a) or 103(a) over Oh et al.; and the rejection of claims 12-24 under 35 U.S.C. 103(a) over Taguchi et al. are now rendered moot and should be withdrawn.

Lastly, on page 3 of the office action, claims 10 and 38 were rejected under 35 U.S.C. 112, second paragraph for allegedly being indefinite. The examiner indicated that these claims depend on cancelled claims. Applicants have cancelled claim 10.

Applicants have corrected the dependency of claim 38. As amended, claim 38 now depends from claim 25. Since the examiner has indicated that claim 25 is allowable, claim 38 should also be allowable.

Accordingly, the rejection of claims 10 and 38 are now moot and should be withdrawn.

Application Serial No. 10/770,734
Filing Date: February 3, 2004
Docket No. 1297
Page 7 of 7

In view of the above amendments and remarks, allowance of the pending claims is earnestly requested. If the examiner has any questions or concerns regarding this amendment, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

/Edna I. Gergel/
Edna I. Gergel, Ph.D.
Registration No. 50,819
Agent for Applicants

UT-Battelle, LLC
P.O. Box 2008
Oak Ridge, TN 37831-6258
Tel. 865-574-0393
Fax 865-5740381